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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/523,811	03/13/2000	Fernando Incertis Carro	FR999030	6555

			EXAMINER
25259	7590	09/08/2004	PAULA, CESAR B

IBM CORPORATION
3039 CORNWALLIS RD.
DEPT. T81 / B503, PO BOX 12195
REASEARCH TRIANGLE PARK, NC 27709

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>20 May 2004</u> .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
  closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

  If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____ .

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

  a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

DETAILED ACTION

1.   This action is responsive to the amendment filed on 5/20/2004.

This action is made Non-Final.

2.   In the amendment, claim 32 has been added. Claims 1-32 are pending in the case. Claims

1-6, 8, 19-20, and 30-32 are independent claims.

3.   The rejections of claims 1-16, 18-26, and 28-31 under 35 U.S.C. 103(a) as being

unpatentable over Nagai (Pat. # 6,138,072, 10/24/2000, filed on 4/22/2000), in view of "Laura

Lemay's Web Workshop Creating Commercial Web Pages", Lemay et al, hereinafter Lemay,

Sams, 1996, pp. 73-75, have been withdrawn as necessitated by the newly found prior art.

Priority

4.   Acknowledgment is made of applicant's claim for foreign priority under 35

U.S.C. 119(a)-(d), and based on application # 994800712 filed in Europe on 7/29/1999, which

papers have been placed of record in the file.

Drawings

5.   The drawings filed on 3/13/2000 have been approved by the draftsperson.

Specification

6.   Appropriate corrections have been made to the abstract. Therefore, its objection has been

withdrawn.

Claim Objections

7.   Appropriate corrections have been made to claims 11, and 16. Therefore, their objections

have been withdrawn.

Claim Rejections - 35 USC § 112

8.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

9.   Appropriate corrections have been made to claims 11, and 16. Therefore, their objections

have been withdrawn.

10.   Claims 18, 26, and 28 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

11.   Claim 18 recites the limitation "the actual position" in line 6. There is insufficient

antecedent basis for this limitation in the claim. There is no previous "actual position" in the

claim to refer to.

12.   Claim 26 recites the limitation "the table that is associated with said icon" in lines 4-5.

There is insufficient antecedent basis for this limitation in the claim. There is no previous "table

that is associated with said icon" in the claim to refer to, just a table in the client system

(claim22, line 3).

13.   Claim 28 recites the limitation "said icons", and "said sensible icons" in lines 3-4. There

is insufficient antecedent basis for this limitation in the claim. There is no previous "said icons",

and "said sensible icons" in the claim, or any claims it depends on, to refer to.

        This is not an exhaustive list of all lack of antecedent problems. The examiner requests

that applicant review all the claims carefully for other similar antecedent errors.

Claim Rejections - 35 USC § 102

14.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

subsection of an application filed in the United States only if the international application designated the United
States and was published under Article 21(2) of such treaty in the English language.

15.   Claims 1-12, 21, 23, 25, 27, and 29-32 are rejected under 35 U.S.C. 102(e) as being

anticipated over Musk et al, hereinafter Musk (Pat. # 6,148,260, 11/14/2000, continuation filed

on 11/8/1996).

        Regarding independent claim 1, Musk discloses the transmission of a map from a server

to a user as a result of a search request by the user to the server. The map is encoded by the

server, using five words of 32 bits, with latitude and longitude—*geographic coordinates of the*

one or more geographical locations described or referenced in the document-- related to a

location on the map (col. 1, lines 30-57, col.2, lines 45-67, and col.3, lines 27-45).

        Moreover, Musk teaches the use of the latitude and longitude information—*determining*

geographic coordinates, and encoding a location in the map with the information using the bits

(col. 3, lines 37-67).

        Moreover, Musk teaches the encoding of lines of text with the latitude and longitude

along with a desired location into the pixels of a map graphical image to pinpoint a location

where an icon can be displayed-- *tagging said map document with said geographic address*. (col.

3, lines 27-45).

        Regarding claim 2, which depends on claim 1, Musk teaches the encoding of lines of text

with the latitude and longitude along with a desired location into the pixels of a map graphical

image to pinpoint a location where an icon can be displayed-- *tagging said document with one or a plurality of geographic attributes* (col. 3, lines 27-45).

Regarding claim 3, which depends on claims 1 or 2, Musk teaches the encoding of lines of text with the latitude and longitude—*cartographic coordinates*-- along with a desired location into the pixels of a map graphical image to pinpoint a location where an icon can be displayed (col. 3, lines 27-45).

Regarding claim 4, which depends on claims 1 or 2 , Musk teaches the encoding of lines of text with the latitude and longitude—*bi-dimensional and expressed in term of longitude and latitude* -- along with a desired location into the pixels of a map graphical image to pinpoint a location where an icon can be displayed (col. 3, lines 27-45).

Claim 5 is directed towards a method for performing the steps found in claim 4, (where the latitude and longitude are well known terms of art) and therefore is similarly rejected.

Claim 6 is directed towards a server system for implementing the steps found in claim 1, and therefore is similarly rejected.

Claim 7 is directed towards a computer-readable medium for storing instructions for performing the steps found in claim 1, and therefore is similarly rejected.

Regarding independent claim 8, Musk teaches a user for contacting a server, which

encodes of lines of text with the latitude and longitude within a number of bits-- *a tag including*

a geographic address, said geographic address-- which start with two bits key indicating the

color of a text to be displayed in association with a location in a map (col. 1, lines 30-57, col.2,

lines 45-67, and col. 3, lines 27-45).

Regarding claim 9, which depends on claim 8, Musk teaches a user for contacting a

server, which encodes of lines of text with the latitude and longitude within a number of bits

which start with two bits key indicating the color of a text-- *one or a plurality of attributes*

related to the geographic location described or referenced in the document -- to be displayed in

association with a location in a map (col. 1, lines 30-57, col.2, lines 45-67, and col. 3, lines 27-

45).

Regarding claim 10, which depends on either of claims 8 to 9, Nagai discloses that when

a user of a navigation device—*client*--makes a selection of the object position, a URL, using an

http protocol, having the latitude and longitude of the object, is transmitted for the retrieval, from

a provider—*one of a plurality of Web servers*-- of that object's HTML web page via the Internet

(col. 3, lines 1-18, col.6, lines 54-67).

Claim 11 is directed towards a method for performing the steps found in claim 4, and

therefore is similarly rejected.

Claim 12 is directed towards a document equivalent to the document found in claim 4, (where the latitude and longitude are well known terms of art) and therefore is similarly rejected.

Regarding claim 21, which depends on claims 8 or 9, Musk discloses the transmission of a map from a server to a user as a result of a search request by the user to the server. The map is encoded with text by the server, using five words of 32 bits, with latitude and longitude— *mapping the geographic location according to said absolute geographic coordinates* -- related to a location on the map (col. 1, lines 30-57, col.2, lines 45-67, and col.3, lines 27-45). In other words, the encoded coordinates are retrieved from the encoded information *–retrieving absolute coordinates from tag*--and displayed along with an icon at a location in the map.

Regarding claim 23, which depends on claim 21, Musk teaches describing a set of vector points using latitude/longitude—*defining a scale according to the absolute geographic coordinates* (col.4, lines 3-11).

Regarding claim 25, which depends on claim 21, Musk discloses the map is encoded with text by the server, using five words of 32 bits, with latitude and longitude and a desired location on the map (col. 1, lines 30-57, col.2, lines 45-67, and col.3, lines 27-45)—*mapping*-- representing an address on the map—*referencing point* (col. 3, lines 37-67, fig.2-3).

Regarding claim 27, which depends on claim 21, Musk discloses a computer with a processing unit—*pointing device*—allowing a user to click on an icon and get directions to a

restaurant or business in a map format. In response to the clicking, a web page is retrieved, and

generated having the name-- *a title*-- of the restaurant, the address-- *a short description of the*

geographic location, and latitude/longitude encoded in the map-- *geographic coordinates of said*

geographic location (fig. 2, col.2, lines 50-67, and col.3, lines 27-45).

Regarding claim 29, which depends on claim 21, Musk teaches the retrieval of the map

from a server website *retrieving a geographic map from one or a plurality of server systems.*

(col.2, lines 53-67).

Claim 30 is directed towards a system for performing the steps found in claim 21, and

therefore is similarly rejected.

Claim 31 is directed towards a computer-readable medium for performing the steps found

in claim 21, and therefore is similarly rejected.

Claim 32 is directed towards a method for performing the steps found in claim 1, and

therefore is similarly rejected.

Claim Rejections - 35 USC § 103

16.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section
> 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the
> subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill

in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

17.   Claims 13-16, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Musk, in view of Narayanaswami (Pat. # 6,504,571 B1, 1/7/2003, filed on 5/18/1998).

Regarding claim 13, which depends on claims 8 or 9, Musk discloses the definition of an

area on a map, and encoding of text specifying latitude/longitude along with a position in a

retrieved map associated with the position—*specifying a reference point, determining*

geographic coordinates, and *encoding said geographic coordinates in a geographic address*. A

user obtains the map from providers or servers (col.2, lines 30-34, 52-67, col. 3, lines 27-45, and

col. 4, lines 11-18, 53-67). Musk fails to explicitly disclose: *searching on the plurality of server*

systems for documents tagged with said geographic address. However, Narayanaswami teaches

the retrieval of images according to parameters, such as latitude/longitude from an image

database (col.7, lines 1-47, and col.8, lines 40-67). It would have been obvious to a person of

ordinary skill in the art at the time of the invention to have combine Musk and Narayanaswami,

and search for documents tagged with geographic address, because Narayanaswami discloses the

benefit of using parameters to make it easier to search for images (col.1, lines16-35).

Regarding claim 14, which depends on claim 13, Musk discloses the encoding of text

specifying latitude/longitude along with a position in the map—*specifying one or a plurality of*

geographic attributes. A user obtains the map from providers or servers (col.2, lines 30-34, 52-

67, col. 3, lines 27-45, and col. 4, lines 11-18, 53-67). Musk fails to explicitly disclose:

searching on the plurality of server systems for documents tagged with said geographic address.

However, Narayanaswami teaches the retrieval of images according to parameters, such as latitude/longitude from an image database (col.7, lines 1-47, and col.8, lines 40-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combine Musk and Narayanaswami and search for documents tagged with geographic attributes, because Narayanaswami discloses the benefit of using parameters to make it easier to search for images (col.1, lines16-35).

Regarding claim 15, which depends on claim 13, Musk discloses the definition of an area on a map, and encoding of text specifying latitude/longitude (in bits encoding) along with a position in the map—*specifying a geographic area around the reference point, determining geographic coordinates*, and *encoding said geographic coordinates in a fuzzy geographic address*. A user obtains the map from providers or servers (col. 3, lines 27-45, and col. 4, lines 11-18, 53-67). Musk fails to explicitly disclose: *searching on the plurality of server systems for documents tagged with a geographic address corresponding to a geographic location.* However, Narayanaswami teaches the retrieval of images according to parameters, such as latitude/longitude from an image database (col.7, lines 1-47, and col.8, lines 40-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combine Musk and Narayanaswami, and search for documents tagged with geographic address, because Narayanaswami discloses the benefit of using parameters to make it easier to search for images (col.1, lines16-35).

Claim 16 is directed towards a method for performing the steps found in claim 5, and therefore is similarly rejected.

Regarding claim 18, which depends on claim 13, Musk discloses the definition of an area on a map and encoding of text specifying latitude/longitude along with a position in a retrieved map associated with the position—*specifying a reference point once for all* the retrieval of the map (col.2, lines 30-44, 52-67, col. 3, lines 27-45, and col. 4, lines 11-18, 53-67).

Furthermore, Musk teaches the determination of a route from an address to a user desired area or location using vectors, and overlaying a route on a map using latitude and longitude— *measuring the actual position of the client* in respect to another location-- (col. 3, lines 7-14, 58-col.4, lines 17).

Claim 19 is directed towards a system for performing the steps found in claim 13, and therefore is similarly rejected.

Claim 20 is directed towards a computer-readable medium for performing the steps found in claim 13, and therefore is similarly rejected.

18.   Claims 22, 24, 26, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Musk, in view of Nagai (Pat. # 6,138,072, 10/24/2000, filed on 4/22/2000).

Regarding claim 22, which depends on claim 21, Musk discloses the definition of an area on a map and encoding of text specifying latitude/longitude along with a position in a retrieved

map associated with the position the retrieval of the map (col.2, lines 26-67, col. 3, lines 21-49,

and col. 4, lines 8-24, 48-67). Musk fails to explicitly teach *associating in a table in the client*

system, network address and the retrieved absolute geographic coordinates. However, Nagai

discloses a table for the display and storage of URLs—*network address*-- in association with

latitude and longitude related to home pages providing objects guide information (col.2, lines 1-

4, col. 7, lines 1-8, and fig.7). It would have been obvious to a person of ordinary skill in the art

at the time of the invention to have combine Musk and Nagai, and display the table, because

Nagai discloses the benefit of easily obtaining guide information on a desired object on a map

(col.1, lines 50-67).

Regarding claim 24, which depends on claim 21, Musk teaches the display of a map

location and a related icon (col.3, lines 38-58, and fig.2). Musk fails to explicitly teach *pointing*

to the retrieved absolute geographic coordinates and the network address. However, Nagai

teaches that when a user makes a selection of the object graphical representation—*icon*--, such as

"Company X", located at position on a map displayed on a screen, a URL, associated with—

pointed to by-- the object's representation, and having the latitude and longitude, and a network

address—`http://www.honda.service.cp.jp`-- of the object. After the user has selected the

object's representation, the URL is retrieved, and transmitted for the retrieval of that object's

web page (col. 6, lines 54-67, fig.2-3).). It would have been obvious to a person of ordinary

skill in the art at the time of the invention to have combine Musk and Nagai, because Nagai

discloses the benefit of easily obtaining guide information on a desired object on a map (col.1,

lines 50-67).

Regarding claim 26, which depends on claim 21, Musk fails to explicitly teach *pointing to the retrieved absolute geographic coordinates and the network address.* Nagai discloses a processing unit—*pointing device* for the positioning of a cursor on a display screen for the selection of or *pointing to* the object's graphical representation—*icon*--, such as "Company X", located at position on a map displayed on the screen. The user selects the object's representation for the retrieval of the object's web page (col. 6, lines 54-67, col. 7, lines 1-16, fig.2-3). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combine Musk and Nagai, because Nagai discloses the benefit of easily obtaining guide information on a desired object on a map (col.1, lines 50-67).

Regarding claim 28, which depends on claim 24, Musk teaches the display of a map location and a related icon (col.3, lines 38-58, and fig.2).

Allowable Subject Matter

19.   Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

19.   Applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the new ground(s) of rejection. The applicant indicates that the Lemay reference

provides no geographic information whatsoever (page 22, lines 14-24). The applicant is directed

towards the rejection of the claims as necessitated by the new references.

Regarding claims 1-2, the applicant argues that there is no suggestion in any of the

references to include tags having geographical address for geographical locations described in a

referenced document (page 23, lines 1-22). The applicant is directed towards the rejection of

these claims as precipitated by the new references.

Regarding claim 5, the applicant notes that there is no teaching of encoding absolute

geographic coordinates in Nagai's patent (page 24, lines 7-18). The applicant is directed towards

the rejection of this claim as precipitated by the new references.

Regarding claims 8-9, the applicant notes that none of the previous references cited

disclose or suggest a tag including a geographic address (page 24, lines 19-page 25, line 5-10).

The applicant is directed towards the rejections of these claims as precipitated by the new

references.

Regarding claims 11-12, the applicant is directed towards the rejection of this claim as

precipitated by the new references above.

Regarding claim 13, the applicant notes that no teaching or suggestion of searching for documents tagged with the geographic address (page 25, lines 18-25). The applicant is directed towards the rejections of this claim as necessitated by the new references above.

Regarding claim 14, the applicant notes that the examiner established no teaching or suggestion of a reference point, and geographic attribute (page 26, lines 7-10). The applicant is directed towards the rejections of this claim as necessitated by the new references above.

Regarding claim 15, the applicant notes that none of the references teach or suggest of fuzzy geographic search capability (page 26, lines 20-22). The applicant is directed towards the rejections of this claim as necessitated by the new references above.

Regarding claim 21, the applicant notes that none of the previous references cited disclose or suggest a tag including a geographic address, nor the retrieval of information from such tags (page 26, lines 24-30). The applicant is directed towards the rejections of these claims as precipitated by the new references.

Regarding claim 22, the applicant states that none of the previous cited references disclose or suggest associating in a client system table the network address and the retrieved geographic coordinates (page 27, lines 3-8). The applicant is directed towards the rejections of these claims as precipitated by the new references.

Regarding claim 24, the applicant notes that Nagai is different from the amendment introduced in this claim (page 27, lines 9-15). The applicant is directed towards the rejections of these claims as precipitated by the new references.

Regarding claim 26, the applicant notes that the newly introduced amendment is not obvious over the cited references (page 27, lines 16-22). The applicant is directed towards the rejections of these claims as precipitated by the new references.

Regarding claim 27, the applicant remarks that none of the cited references teach the 2-step dynamic retrieval of information herein (page 28, lines 14-16). The applicant is directed towards the rejections of these claims as precipitated by the new references.

Therefore pending claims 1-32 are rejected at least for the reasons above.

Conclusion

I.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gale et al. (Pat. # 6,487,495), Kung (Pat. # 6,584,328), Yoshimura et al. (Pat. # 6,266,676), Wills et al. (Pat. # 6,202,065), and Ando (Pat. # 6,202,022).

II.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is **(703) 306-5543 (**

(571) 272-2148 as of 10/12/04). The examiner can normally be reached on Monday through

Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Stephen Hong, can be reached on (703) 308-5465 ((571) 272-4124 as of 10/12/04). However, in

such a case, please allow at least one business day.

Any inquiry of a general nature or relating to the status of this application or proceeding should

be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this Action should be mailed to:

> Commissioner for Patents
> P.O. Box 1450
> Alexandria, VA 22313-1450

> Or faxed to:

- **(703) 703-872-9306,** (for **all** Formal communications intended for entry)

**Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).**

CESAR B PAULA
Patent Examiner
Art Unit 2178

9/3/04